

S/N 10/044,796

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	LOSKUTOFF ET AL.	Examiner:	V. AFREMOVA
Serial No.:	10/044,796	Group Art Unit:	1657
Filed:	JANUARY 11, 2002	Docket No.:	13511.1USU1
Title:	SEmen EXTENDER COMPOSITION AND METHODS FOR MANUFACTURING AND USING		

Electronically filed on April 7, 2009

COMMUNICATION

Mail Stop: Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
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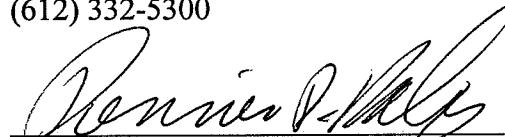
Dear Sir:

This is in response to the communication mailed on March 31, 2009 entitled
“Notification of Non-Compliant Appeal Brief.”

In response, attached is a corrected “Claims Appendix” for the Appeal Brief. The
corrected Claims Appendix includes the status identifier “Previously Presented” for claim 21.

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300



Dennis R. Daley
Reg. No. 34,994
DRD:mls

Date: April 7, 2009

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CLAIMS APPENDIX

1. (Previously Presented) An aqueous ready to use semen extender composition comprising:
 - (a) about 0.1 wt.% to about 6 wt.% phospholipid obtained from a non-animal source comprising lecithin;
 - (b) about 0.0001 wt.% to about 1 wt.% of anionic surfactant to reduce ice crystal formation during freezing of the composition, wherein the anionic surfactant comprises a sulfate;
 - (c) about 0.5 wt.% to about 3 wt.% carbohydrate;
 - (d) about 3 wt.% to about 14 wt.% freeze agent comprising glycerol; and
 - (e) biological buffer to provide the composition with a pH of about 6.9 to about 7.5, and wherein the composition comprises a sufficient amount of water so that the composition exhibits an osmolality of about 250 mOsM to about 350 mOsM, wherein the composition is substantially free of animal products.
2. (Previously Presented) An aqueous ready to use semen extender composition according to claim 1, wherein the composition comprises at least about 90 wt.% water.
3. (Canceled)
4. (Previously Presented) An aqueous ready to use semen extender composition according to claim 1, further comprising:
 - (a) antioxidant.
5. (Previously Presented) An aqueous ready to use semen extender composition according to claim 4, wherein the antioxidant comprises at least one of vitamin E, vitamin C, vitamin A, BHA, BHT, or derivatives thereof.
6. (Canceled)
- 7-8. (Canceled)

9. (Previously Presented) An aqueous ready to use semen extender composition according to claim 1, wherein the anionic surfactant comprises at least one of sodium lauryl sulfate, sodium laureth sulfate, or mixtures thereof.

10. (Canceled)

11. (Canceled)

12. (Canceled)

13. (Canceled)

14. (Previously Presented) An aqueous ready to use semen extender composition according to claim 1, further comprising semen.

15-20. (Canceled)

21. (Previously Presented) A method for manufacturing an aqueous ready to use semen extender composition, the method comprising a step of:

(a) mixing semen extender composition components to provide a semen extender composition having an osmolality of about 250 mOsM to about 350 mOsM and a pH of about 6.9 to about 7.5, the semen extender composition components comprising:

(i) about 0.1 wt.% to about 6 wt.% phospholipid obtained from a non-animal source comprising lecithin;

(ii) about 0.0001 wt.% to about 1 wt.% of anionic surfactant to reduce ice crystal formation during freezing of the composition, wherein the anionic surfactant comprises a sulfate;

(iii) about 0.5 wt.% to about 3 wt.;

(iv) about 3 wt.% to about 14 wt.% freeze agent comprising glycerol;

(v) water; and

(vi) biological buffer, wherein the composition is substantially free of animal products.

22. (Canceled)

23. (Canceled)

24. (Previously Presented) An aqueous ready to use semen extender composition according to claim 1, wherein the composition comprises at least about 1 IU/ml antioxidant.

25. (Previously Presented) An aqueous ready to use semen extender composition according to claim 1, wherein the composition comprises at least about 5 IU/ml antioxidant.

26. (Previously Presented) An aqueous ready to use semen extender composition according to claim 1, wherein the composition comprises about 1 wt.% to about 3 wt.% antioxidant.

27. (Canceled)

28. (Previously Presented) A method according to claim 21, wherein the composition comprises at least about 1 IU/ml antioxidant.

29. (Previously Presented) A method according to claim 21, wherein the composition comprises at least about 5 IU/ml antioxidant.

30. (Previously Presented) A method according to claim 21, wherein the composition comprises about 1 wt.% to about 3 wt.% antioxidant.

31. (Previously Presented) A method according to claim 28, wherein the antioxidant comprises at least one of vitamin E, vitamin C, vitamin A, BHA, BHT, or derivatives thereof.

32. (Canceled)

33. (Previously Presented) A method according to claim 21, wherein the anionic surfactant comprises at least one of sodium lauryl sulfate, sodium laureth sulfate, or mixtures thereof.

34. (Canceled)